

24. (Amended) The pharmaceutical composition of claim 23, wherein said antisense oligonucleotide modulates the expression of a cellular adhesion protein or the rate of cellular proliferation, or has biological activity against [miscellaneous disorders,] diseases resulting from eukaryotic pathogens, retroviruses including HIV or non-retroviral viruses.

25. (Amended twice) A method of treating an animal having or suspected of having a disease or disorder that is treatable [in whole or in part] with one or more nucleic acids comprising administering to said animal a therapeutically effective amount of the pharmaceutical composition of claim 1, thereby treating said animal having or suspected of having said disease or disorder.

REMARKS

Claims 1-40 are pending in the present application. Claims 24 and 25 have been amended herein. Upon entry of the present Amendment, claims 1-40 will remain pending.

I. Double Patenting Rejections

Claims 1-24 stand provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-24 of co-pending application Serial No. 08/886,829. Applicants respectfully request that this rejection be deferred until allowable subject matter is indicated.

Claims 25-40 stand provisionally rejected under the doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-47 of co-pending application Serial No. 08/886,829. Applicants respectfully request that this rejection also be deferred until allowable subject matter is indicated.

II. The Claims Are Clear And Definite

Claims 24 and 25 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being vague and indefinite. Applicants respectfully request reconsideration of this rejection in view of the amended claims.